

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Criminal No. 07-297(3) (DWF/JSM)

Plaintiff,

v.

**ORDER AND
MEMORANDUM**

Joe Darrell Edwards, Jr.,
a/k/a Jodebe,

Defendant.

David P. Steinkamp, Assistant United States Attorney, United States Attorney's Office,
counsel for Plaintiff.

Jordan S. Kushner, Esq., Law Office of Jordan S. Kushner, counsel for Defendant.

This matter is before the Court upon Defendant Joe Darrell Edwards, Jr.'s ("Defendant") Renewed Motion for Transfer of Custody (Doc. No. 357), in which Defendant requests an order transferring him from the Sherburne County Jail to another facility.¹ Defendant bases his request on his assertion that there have been delays in delivery of legal and other mail and that he has been denied certain medications. The Court has considered the Defendant's request and hereby makes the following:

¹ This is Defendant's second request to be transferred from the Sherburne County Jail to another facility. This Court denied a previous request by Defendant to be transferred from the Sherburne County Jail to the Anoka County Jail (Doc. No. 356), in connection with Defendant's appeal of an order issued by Magistrate Judge Janie S. Mayeron denying him a transfer (Doc No. 339).

ORDER

1. Defendant Joe Darrell Edwards, Jr.'s renewed motion to change custody pending trial from the Sherburne County Jail to another facility is **DENIED**.

Dated: July 1, 2008

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court

MEMORANDUM

Defendant contends that there have been unwarranted delays in his receipt of mail from his attorney, as well as personal mail. Defendant also contends that he has been denied a medication, Seroquel, that he believes is most effective in treating a mental health condition that makes him frequently upset and irritable. Finally, Defendant asserts that he was denied full dosages of his allergy medication for several days.

As with Defendant's previous request for a transfer, it appears to this Court that there have been difficulties during Defendant's time in the Sherburne County Jail and that some of those difficulties are ongoing. Notwithstanding that, Defendant's submission does not show that the personnel at the Sherburne County Jail are interfering with Defendant's communications with outside parties, or that they are deliberately indifferent to the Defendant's mental or physical health needs.

Defendant acknowledges that while there have been delays of a few days or longer in the delivery of some of his mail, in other instances mail has been delivered in a timely fashion. With respect to his mental health medication, Defendant does not contend that

Seroquel is the only medication that could treat his condition, and he makes no allegation as to any other medications with which he may have been provided or the relative effectiveness of such other medications. Defendant also states that the decision to deny him a full dosage of allergy medication was in effect only for a few days and was reversed after he filed a grievance.

The Court continues to expect that the staff of the Sherburne County Jail will reasonably meet Defendant's mental and physical health needs and deliver mail in a manner that does not unduly burden the Defendant's valid communications with his attorney and other parties, while enforcing any rules necessary to the administration of the facility. At this time, however, this Court does not find a basis to transfer Defendant to another facility and denies Defendant's motion.

D.W.F.